

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**LM GENERAL INSURANCE CO.,**

Plaintiff-Counterclaim Defendant,

v.

**SHARON LEBRUN and ED LEBRUN,**

Defendants-Counterclaim Plaintiffs.

**CIVIL ACTION**

**NO. 19-2144-KSM**

**ORDER**

**AND NOW**, this 1st day of July, 2020, upon consideration of Plaintiff-Counterclaim Defendant LM General Insurance Company's Motion to Dismiss (Doc. No. 12), Defendants-Counterclaim Plaintiffs Sharon and Ed LeBrun's response brief (Doc. No. 15), LM General's reply brief (Doc. No. 20), the parties' oral arguments on the motion, LM General's supplemental notices of authority (Doc. Nos. 23, 33, 34), and the parties supplemental briefing (Doc. Nos. 27, 28), and for the reasons set forth in the Memorandum, it is hereby **ORDERED** that LM General's motion is **GRANTED** with respect to Plaintiffs' declaratory judgment claims (Counts I, II, and III), with respect to putative class members' claims that are based upon a breach of an alleged insurance contract "by reason of the household exclusion" prior to June 17, 2015, and with respect to class members' uninsured motorist ("UM") claims. LM General's motion is **DENIED** with respect to the remainder of its arguments.

**IT IS FURTHER ORDERED** that in light of the Court's decision, the stay currently in place (Doc. No. 32) is lifted, and a telephone conference to discuss scheduling and other pretrial matters is **SCHEDULED** for **July 21, 2020 at 10:00 a.m.** At least seven (7) days prior to the conference, the parties should submit a joint status report with proposed scheduling deadlines.

**IT IS SO ORDERED.**

**/s/KAREN SPENCER MARSTON**

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KAREN SPENCER MARSTON, J.